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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/816,031	03/31/2004	Louis A. Lippincott	ITL.1713US (P18841)	9305
21906 7590 01/06/2009 TROP, PRUNER & HU, P.C. 1616 S. VOSS ROAD, SUITE 750 HOUSTON, TX 77057-2631			EXAMINER MARANDI, JAMES R	
			ART UNIT 2421	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/816,031	Applicant(s) LIPPINCOTT, LOUIS A.	
	Examiner JAMES R. MARANDI	Art Unit 2421	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 October 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7-19, 21 and 23-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-19, 21 and 23-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>9/3/2008, and 10/30/2008</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This action is in response to applicant's amendment filed on 10/30/2008. Claims 1-5, 7-19, 21, and 23-27 are presently pending. Claims 6, 20, and 22 have been cancelled.

Response to Arguments

2. Applicant's arguments with respect to claims 1 and 24 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-5, 7-19, 21, and 23-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Paul Moroney, USPN 6,532,593 (herein after “Moroney”) in view of Nicola John Fedele, USPN 5,920,354 (hereinafter “Fedele”).

5. Regarding claim 1, Moroney discloses **a system, comprising:**

a decoder to decode encoded video information having a first format (Fig. 2, 210) into intermediate video information and to extract motion vectors from the encoded video information (Motion Vectors-MV- are extracted at 115 and send to 135 and 194), see Col. 4 line 6- Col. 5, line 23.;

a compression block (250) to encode the digital data into output video information having a second format using the motion vectors extracted from the encoded video information (Motion Vectors –MV- are supplied and used in 194 of compression block 250); **and**

a device to store the output video information from the compression block (Fig. 4, 470; Col. 6, line 50 through Col. 7, line 33).

Moroney does not disclose

a digital to analog converter to convert said intermediate format to analog data; and

an analog to digital converter to convert said analog data to digital data;

However, Fedele, in analogous art, discloses:

a digital to analog converter to convert said intermediate format to analog data (Fig. 1, the digital data form 110 is converted by 120 to analog YIQ; Col. 3, lines 10- 15); and

an analog to digital converter (150) to convert said analog data to digital data (Digital NTSC Interface, Col.3, lines 15- 23);

Therefore, it would have been obvious to one of ordinary skill in the art, at the time of invention, to modify the system of Moroney with Fedele's invention in order to have an analog intermediary signal to be supplied to analog receivers and offer transcoding possibilities for a variety of video formats.

Regarding claim 2, **wherein the first format and the second format have a common format**, see Moroney Col 5, lines 13- 24.

Regarding claim 3, **wherein the common format includes MPEG-1, MPEG-2, MPEG-4, H.264, Windows Media Video version 9 (WMV9) or Advanced Video System (AVS)**; Moroney discloses transcoding from one format to another and provides examples such as HD TV to SD TV, or MPEG-1 to MPEG-2 (Col. 3, lines 26-35). Fedele's disclosure further offers examples such as HDTV to HDTV (Table 1), HDTV to NTSC, PAL etc. Inclusion of other formats were notoriously

well known to those of ordinary skill in the art, as further demonstrated by A.C.W. Lai et al., USPGPUB 2002/0190876, ¶¶ [8] and [63], and tables 2-5.

Claim 4 is rejected by the same analysis as claim 3.

Regarding claim 5, **wherein the decoder is arranged to extract quantization data, picture data, or error data from the encoded video information**, see Col. 3, lines 58-62, Fig. 2, Col. 5, lines 13- 18) .

Regarding claim 7, **wherein the intermediate video information includes digital pixel information**, Moroney discloses in Fig. 2 that the digital pixel information is provided to adder 130 and upon further processing output to 160 (Col. 4, lines 15- 44).

Regarding claim 8, Moroney does not explicitly disclose **including: an output port to output the intermediate video information**. However, Fedele discloses the intermediate analog signal (between 120 and 150 in Fig. 1) to be of YIQ format.

Therefore, it would have been obvious to one of ordinary skill in the art to modify the system of Moroney with Fedele's invention in order to provide an intermediate display for monitoring of intermediate signal information.

6. Regarding claim 9, Moroney disclose **a method, comprising:**

extracting motion information from an encoded video stream (Fig. 2, Motion Vectors-MV- are extracted at 115 and sent to 135 and 194; see Col. 4 line 6 through Col. 4, line 23);

converting the encoded video stream to an intermediate video stream
(the stream between elements 130 and 160);

; and

compressing the digital stream into an output video stream using the motion information extracted from the encoded video stream (Motion Vectors – MV- are supplied and used in 194 of compression block 250).

Moroney does not disclose **converting the stream to analog and then to a digital stream.**

However, Fedele, in analogous art, discloses: **Converting the stream to analog** (Fig. 1, the digital data form 110 is converted by 120 to analog YIQ; Col. 3, lines 10-15); **and then to a digital stream** (150, Digital NTSC Interface, Col.3, lines 15- 23).

Therefore, it would have been obvious to one of ordinary skill in the art, at the time of invention, to modify the system of Moroney with Fedele's invention in order to have an analog intermediary signal to be supplied to analog receivers and offer transcoding possibilities for a variety of video formats.

Regarding claim 10, **extracting includes: obtaining quantization data or picture data from the encoded video stream** (Fig. 2, picture data is obtained at 115), **and wherein the encoding includes encoding the intermediate video stream using the motion information and the quantization data or the picture data obtained from the encoded video stream** (picture information from 115 is supplied to encoder/compressor section 250 at 194 via link 220). Also see Col. 4 line 6- Col. 5, line 23.

Regarding claim 11, **wherein the converting includes: decoding the encoded video stream to generate a stream of uncompressed pixel data**, the stream between elements 130 and 160 (Fig. 2) is uncompressed.

Regarding claim 12, we already showed in claim 9 how Fedele creates an intermediate analog signal using digital input stream.

Regarding claim 13, **wherein the encoded video stream and the output video stream share a common encoding format**, see Moroney Col 5, lines 13- 24.

Regarding claim 14, as disclosed by both Moroney and Fedele, **the encoded video stream** (transcoder input) **and output video streams** of a transcoder may **have different encoding formats** (e.g. HDTV to PAL).

Regarding claim 15, **storing the output video stream**; (Moroney's Fig. 4, 450, and 470; Col. 7, lines 3- 33)

Claim 16 is rejected by the same analysis as claim 15.

7. Regarding claim 17, Moroney discloses **an apparatus, comprising:**

a device to extract motion vectors from the input media information (Fig. 2, decoder section 210, MVs are extracted at 115); **and converting the input bit stream into output media information having an output format using the other information extracted from the input media information** (Motion Vectors –MV- are supplied and used in 194 of compression block 250);.

Moroney does not disclose

a digital to analog converter coupled to an output of said device;
an analog to digital converter coupled to an output of said digital to analog converter;

However, Fedele, in analogous art, discloses: **a digital to analog converter coupled to an output of said device** (Fig. 1, the digital data form 110 is converted by 120 to analog YIQ; Col. 3, lines 10- 15); **an analog to digital converter coupled to an output of said digital to analog converter** (150, Digital NTSC Interface, Col.3, lines 15- 23);

Therefore, it would have been obvious to one of ordinary skill in the art, at the time of invention, to modify the system of Moroney with Fedele's invention in order to have an analog intermediary signal to be supplied to analog receivers and offer transcoding possibilities for a variety of video formats.

Regarding claims 18 and 19, Moroney discloses that the transcoder is used to convert the input signal form one format to another, or maintain the same format while changing other parameters of the signal. (Col. 3, lines 25-35, and Col. 5, lines 13-23)

Regarding claim 21, **wherein the input media information is encoded, and wherein the device includes a decoder to decode the encoded input media information to generate intermediate media information**, Fig. 2 the "bits in" stream is encoded and goes through decoder section 210, generating an

intermediate decoded stream between elements 130 and 160.

Regarding claim 23, **further comprising: a storage device to store the output media information from the encoder**, Fig. 4 ,the output of transcoder 427 is stored at 470; Col. 7, lines 3- 33.

8. Regarding claim 24, Moroney discloses **a method, comprising:**

obtaining at least motion vectors from an encoded video stream (Fig. 2, decoder section 210, MVs are extracted at 115); and

to generate an output video stream using the motion vectors obtained from the encoded video stream (Motion Vectors –MV- are supplied and used in 194 of compression block 250)..

Moroney does not disclose **decoding the encoded video stream to generate an analog video stream; and**

encoding the analog video stream to digital output stream.

However, Fedele, in analogous art, discloses: **decoding the encoded video stream to generate an analog video stream** (Fig. 1, the digital data form 110 is converted by 120 to analog YIQ; Col. 3, lines 10- 15); and **encoding the analog**

video stream to digital output stream (150, Digital NTSC Interface, Col.3, lines 15-23);

Therefore, it would have been obvious to one of ordinary skill in the art, at the time of invention, to modify the system of Moroney with Fedele's invention in order to have an analog intermediary signal to be supplied to analog receivers and offer transcoding possibilities for a variety of video formats.

Regarding claim 25, **wherein the obtaining further includes obtaining quantization data and picture data from the encoded video stream**, Moroney discloses that picture data, including quantization, is obtained at 115 (Fig. 2); also see Col. 4 line 6- Col. 5, line 23 .

Regarding claim 26, **controlling a rate of the encoding using the quantization data and the picture data**, picture information from 115 is supplied to encoder/compressor section 250 at 194 via link 220. Also see Col. 4 line 6- Col. 5, line 23.

Regarding claim 27, **storing the output video stream**, Fig. 4 ,the output of transcoder 427 is stored at 470; Col. 7, lines 3- 33.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Contacts

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAMES R. MARANDI whose telephone number is (571)270-1843. The examiner can normally be reached on 8:00 AM- 5:00 PM M-F, EST.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on (571) 272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/John W. Miller/
Supervisory Patent Examiner, Art Unit 2421

/James R. Marandi/
Examiner, Art Unit 2421